

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 20th day of August, 2012 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight Mayor  
Vickie Abrego Mayor Pro Tempore  
James A. Mills Council Member  
Billy Ellis Council Member  
Phillip Hyatt Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: Allen Lawrence City Attorney  
Reggie Winters City Manager  
Yvonne Stonebraker City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Eric Blanchard Police Chief  
Paul Alvarado Public Works Director  
Rickie Kilgore Fire Chief  
Jeff Martin Information Tech

OTHERS PRESENT: Ralph & Karen Gayle, Don & Jeanie Brummett, Byron McLaughlin, David Underbrink and Thomas Tiffen/Naismith, Jim & Alpha Covington, Neill Amlser, Hope Comingore, Ernie & Olivia Torres, Rosemary Vega, Liz Dorris, Ed & Ellie Block, Phil & Nell Reynolds, Mike & Jan Moore, and Patsy Lawrence.

*There may have been others present who did not sign in.*

1. CALL MEETING TO ORDER.

Mayor Knight called the Meeting to order at 7:00 P.M. on August 20, 2012.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Mayor Pro Tem Abrego gave the Invocation and Mayor Knight led the Pledge of Allegiance to the United States Flag.

3. CONSENT AGENDA.

- A. CONSIDER AND ACT ON MINUTES OF AUGUST 6, 2012.
- B. CONSIDER ANDACT ON ORDINANCE NO. 2012-4016- AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO BILL'S BOAT BARN TO OPERATE A PARK AND SELL LOT ON PROPERTY DESCRIBED AS TRACTS 3, 4, & 5, OUTLOT 19, 1500 S. COMMERCIAL, ARANSAS PASS, SAN PATRICIO COUNTY, TEXAS, SUBJECT TO CONDITIONS SETFORTH.
- C. CONSIDER AND ACT ON ORDINANCE NO. 2012-4017- AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, ABANDONING A PORTION OF ARCH STREET, ARANSAS PASS, TEXAS AS DEFINED BY METES AND BOUNDS (EXHIBIT A) AND PLAT OF SAID CLOSURE (EXHIBIT B), BOTH ATTACHED HERETO; AND, PROVIDING FOR REVERSION OF SAID ABANDONED AREA TO THE ABUTTING PROPERTY OWNERS.

Council Member Mills made a motion to approve the consent agenda with corrections to the minutes. Council Member Hyatt seconded the motion and the motion carried unanimously.

4. **PUBLIC HEARING ON REQUEST OF MR. NEILL F. AMSLER III TO NARROW THE 1100 BLOCK OF 10<sup>TH</sup> STREET FROM 100' TO 60'.**

City Attorney Allen Lawrence opened the Public Hearing at 7:03 P.M. He stated the Planning and Zoning Commission had approved Mr. Amsler's request and asked Mr. Amsler to give the City Council an update on his request.

Mr. Amsler stated he had planned on building 3 houses on DeBerry Street and the third house had a 10 foot shortage. He stated the third house would but up against the 1100 Block of 10<sup>th</sup> Street. He stated City of Aransas Pass streets were 60'and the 1100 Block of 10<sup>th</sup> Street was 100'. He stated if the City could decrease the 1100 Block of 10<sup>th</sup> Street, he would have enough footage for the third house.

City Attorney Lawrence asked if there was anyone present to speak in favor of Mr. Amsler's request.

There were none.

City Attorney Lawrence asked if there was anyone present to speak against Mr. Amsler's request.

There were none.

Attorney Lawrence closed the Public Hearing at 7:05 P.M.

5. **CONSIDER AND ACT ON REQUEST OF MR. NEILL F. AMSLER III TO NARROW THE 1100 BLOCK OF 10<sup>TH</sup> STREET FROM 100' TO 60'.**

Council Member Hyatt made a motion to approve the request of Mr. Neil Amsler III to narrow the 1100 Block of 10<sup>th</sup> Street from 100' to 60'. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON APPROVING PUBLICITY AND TOURISM AGREEMENT BETWEEN CITY OF ARANSAS PASS AND ARANSAS PASS CHAMBER OF COMMERCE.**

Council Member Hyatt made a motion to approve Publicity and Tourism Agreement between the City of Aransas Pass and Aransas Pass Chamber of Commerce. Council Member Ellis seconded the motion and the motion carried unanimously.

7. **CONSIDER AND ACT APPROVING ARANSAS PASS CHAMBER OF COMMERCE 2012-2013 BUDGET.**

Mayor Pro Tem Abrego made a motion to approve Aransas Pass Chamber of Commerce 2012-2013 Budget. Council Member Hyatt seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON RESOLUTION NO. 2012-679 – A RESOLUTION AUTHORIZING TAX RESALE ON ACCT. NO. 36023; LOTS 31 & 32, BLOCK 376, ORIGINAL TOWNSITE, CITY OF ARANSAS PASS, SAN PATRICIO COUNTY, TEXAS. SUIT NO. S-09-1327-TX: PROPERTY IS LOCATED ON THE 700 BLK S. WHITNEY**

Council Member Mills made a motion to approve Resolution No. 2012-679 – A Resolution authorizing tax resale on Acct. No. 36023; Lots 31 & 32, Block 376, Original Townsite, City of Aransas Pass, San Patricio County, Texas. Suit No. S-09-1327-TX: property is located on the 700 Block S. Whitney. Council Member Ellis seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON ALLOCATING HOTEL/MOTEL FUNDS NOT TO EXCEED \$3,300 TO HOST THE CHRIS' MARINE FOR THE ANNUAL "HAYNIE OWNERS TOURNAMENT".**

Council Member Mills made a motion to allocate Hotel/Motel Funds not to exceed \$3,300 to host Chris' Marine's annual "Haynie Owners Tournament". Council Member Hyatt seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON APPROVING THE REQUEST OF BRENT CASEY, COASTAL BEND REGIONAL WATER RESCUE, FOR USE OF A BUILDING ON CONN BROWN HARBOR.**

Passed on.

11. **CONSIDER AND ACT ON APPOINTMENT OF A MEMBER TO THE ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT BOARD.**

Council Member Mills made a motion to approve the appointment of Byron Laughlin to the Aransas Pass Municipal Development District. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON APPOINTMENT OR RE-APPOINTMENT OF MEMBERS TO THE ARANSAS PASS CRIME CONTROL AND PREVENTION DISTRICT BOARD.**

Council Member Hyatt made a motion to approve the re-appointment of Karen Mayer and Donald Brummett to the Aransas Pass Crime Control and Prevention District. Council Member Mills seconded the motion and the motion carried unanimously.

*The following item was tabled on August 6, 2012 and needs to be un-tabled before considering.*

13. **CONSIDER AND ACT ON APPROVING ROAD REPAIRS IN THE CITY OF ARANSAS PASS.**

Council Member Hyatt made a motion to un-table agenda item number 13. Council Member Mills seconded the motion and the motion carried unanimously.

Mayor Pro Tem Abrego made a motion to table agenda item 13. Council Member Ellis seconded the motion and the motion carried unanimously.

*The following item was tabled on August 6, 2012 and needs to be un-tabled before considering.*

14. **APPROVING REPAIRS TO THE ARANSAS PASS SOFTBALL COMPLEX.**

Council Member Hyatt made a motion to un-table agenda item number 14. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

Mayor Pro Tem Abrego made a motion to approve repairs to the Aransas Pass Softball Complex. Council Member Hyatt seconded the motion and the motion carried unanimously.

*The following item was tabled on August 6, 2012 and needs to be un-tabled before considering.*

15. **APPROVING GENERAL FUND BUDGET AMENDMENT NUMBER 1 FOR FISCAL YEAR 2011-2012.**

Council Member Mills made a motion to un-table agenda item number 15. Council Member Hyatt seconded the motion and the motion carried unanimously.

Council Member Hyatt made a motion to approve General Fund Budget Amendment Number 1 for fiscal year 2011-2012. Council Member Ellis seconded the motion and the motion carried unanimously.

*The following item was tabled on August 6, 2012 and needs to be un-tabled before considering.*

16. **CONSIDER AND ACT ON APPROVAL OF A RESOLUTION OF THE CITY OF ARANSAS PASS, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Council Member Ellis made a motion to un-table agenda item number 16. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

Council Member Mills made a motion to approve a resolution of the City of Aransas Pass, Texas, authorizing the submission of a Community Development Block Grant application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the Mayor to act as the executive officer and authorized representative in all matters pertaining to the participation in the Community Development Block Grant program. Council Member Hyatt seconded the motion and the motion carried unanimously.

17. **CONSIDER AND ACT ON A CONTRACT BETWEEN THE CITY OF ARANSAS PASS AND MAXCREATIVE FOR E-MAIL HOSTING & MAINTENANCE AND WEBSITE HOSTING & MAINTENANCE.**

Council Member Mills made a motion to approve a contract between the City of Aransas Pass and Maxcreative for e-mail hosting & maintenance and website hosting & maintenance. Council Member Hyatt seconded the motion and the carried unanimously.

**18. REVIEW AND DISCUSS FINANCIAL REPORTS.**

City Manager Winters stated all department heads were within their budgets and sales tax was still increasing.

**19. CONSIDER AND ACT ON SETTING THE PROPOSED TAX RATE AND TAKING RECORD VOTE.**

Finance Director Sandy Roddel stated the proposed tax rate is 0.695758.

Council Member Mills made a motion to approve the proposed tax rate of 0.695758 and taking a record vote. Council Member Hyatt seconded the motion and the motion carried unanimously.

Mayor Knight – aye; Mayor Pro Tem Abrego – aye; Council Member Mills – aye; Council Member Ellis –aye; and Council Member Hyatt - aye.

**20. CONSIDER AND ACT ON ACCEPTING THE PROPOSED 2012-2013 BUDGET FOR WORKSHOP DISCUSSIONS.**

Finance Director Roddel stated the City Council needed to accept the proposed 2012-2013 Budget for workshop discussions. She stated any changes could be made in the up coming workshop meetings.

Council Member Mills made a motion to approve the proposed 2012-2013 Budget for workshop discussions. Council Member Hyatt seconded the motion and the motion carried unanimously.

**21. RE-SCHEDULING THE SEPTEMBER 3, 2012 COUNCIL MEETING TO SEPTEMBER 4, 2012 DUE TO A CITY HOLIDAY.**

Council Member Ellis made a motion to approve rescheduling the Monday, September 3, 2012 Council Meeting to Tuesday, September 4, 2012 due to a city holiday. Council Member Mills seconded the motion and the motion carried unanimously.

**22. CITIZENS' COMMENTS.**

Mr. Dave Underbrink, Naismith Engineering spoke on the Conn Brown Harbor improvements, ramp closure will work is being performed and a possible start date of October 1, 2012.

Mr. Donald Brummett spoke about an old RV park on the south side of 361 was looking shabby and there were several potholes in town that needed to be addressed.

**23. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Mayor Knight recessed the Regular Meeting and retired into Executive Session at 8:00 P.M.

**A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS – CITY OF INGLESIDE VS CITY OF ARANSAS PASS**

**B. SECTION 551.072 - DELIBERATIONS REGARDING REAL ESTATE – CONN BROWN HARBOR**

**C. SECTION 551.074 - DELIBERATIONS REGARDING PERSONNEL – CITY MANAGER**

**24. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Mayor Knight reconvened the Regular Meeting at 8:50 P.M.

**A. SECTION 551.071 - CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS – CITY OF INGLESIDE VS CITY OF ARANSAS PASS**

Council Member Mills made a motion to approve Attorney Allen Lawrence finalizing negotiations with the City of Ingleside. Council Member Hyatt seconded the motion and the motion carried.

**B. SECTION 551.072 - DELIBERATIONS REGARDING REAL ESTATE – CONN BROWN HARBOR**

No action taken.

**C. SECTION 551.074 - DELIBERATIONS REGARDING PERSONNEL – CITY MANAGER**

Council Member Hyatt made a motion to approve the acceptance of City Manager Mr. Reggie Winters resignation; effective immediately. He stated the City of Aransas Pass would pay Mr. Winters through September 19, 2012 and insurance through the month of September, 2012. Council Member Ellis seconded the motion and the motion carried unanimously.

**25. ADJOURNMENT OF MEETING.**

Council Member Mills made a motion to adjourn the meeting. Council Member Hyatt seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:55 P.M.

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Tommy Knight, Mayor

ATTEST:

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Yvonne Stonebraker, City Secretary